

# REQUEST FOR PROPOSALS

## DEVELOPING A PREFERRED SALTON SEA RESTORATION PROJECT

**Salton Sea Authority  
78-401 Highway 111, Suite T  
La Quinta, CA 92253-2930**

**February 21, 2003**

## OVERVIEW

The Sea is located in the southeastern desert of California and spans Riverside and Imperial Counties.

The Sea, having a surface elevation of approximately 227 feet below sea level, is situated in a closed basin. It is sustained by inflow of drainage waters from irrigated agriculture in both the Coachella Valley to the north and the Imperial Valley to the south and by river flows from Mexico, which consist mostly of agricultural drainage and some municipal and industrial wastewater.

The Sea's challenges include rising levels of total dissolved solids which threaten the fishery and other aspects of the Sea's ecology, eutrophication, fluctuating water levels and bird disease. Additional information about the Sea and restoration efforts is provided at [www.salttonsea.ca.gov](http://www.salttonsea.ca.gov) and [www.lc.usbr.gov](http://www.lc.usbr.gov).

Our restoration goals are:

- Maintaining the Sea as a repository of agricultural drainage from the Imperial and Coachella Valleys
- Providing a safe, productive environment for resident and migratory birds and threatened and endangered species
- Restoring recreational uses
- Maintaining a viable sport fishery
- Providing opportunities for economic development along the shoreline

The Authority is a regional agency. It was formed as a Joint Powers Agency by the Coachella Valley Water District, the Imperial Irrigation District, the County of Riverside and the County of Imperial.

Under P.L. 105-372, the Salton Sea Reclamation Act, the Secretary of Interior is charged with developing a Salton Sea feasibility study by January 1, 2000. To date, no preferred restoration plan for the Sea has been submitted to Congress. The Department of Interior's Bureau of Reclamation, cooperatively with the Salton Sea Authority, has prepared a number of alternatives' reports but has been unwilling to identify or select a preferred project.

The greatest single complication to selecting a preferred project has been the uncertainty regarding water supply, largely because of large-scale water transfers from IID. That uncertainty may or may not persist.

The government's failure to develop a preferred project has frustrated the Salton Sea Authority, members of Congress, the environmental community, and others.

State legislation passed last year, SB 482, responded to this frustration by requiring the State Resources Secretary to develop and enter into a memorandum of understanding with the Salton Sea Authority and Secretary of Interior to develop a preferred

restoration plan. There has been little progress in developing such an MOU, a requirement that was also embodied in the 1998 federal Salton Sea legislation.

Given the lack of progress, the Authority Board on January 16, 2003 resolved to "Get in the Driver Seat and Welcome Others Aboard". Under such an approach, the Authority seeks a restoration planning and management team to develop a preferred project. Under such an arrangement, Federal and State administration officials and others will be asked to participate in development of scopes of services, however, if such participation does not occur, the Authority would move forward.

### **Scope of Services**

The Authority is seeking the services of a consultant(s) to help the Authority and its partners select a preferred project by May 1, 2004 and present such a project at a symposium in the first half of 2004.

Such a process will, or could include the following elements:

1. Public meetings and workshops with the Salton Sea Authority Board of Directors (which typically meet monthly).
2. Public meetings and workshops with the Salton Sea Authority Technical Advisory Committee (which typically meet monthly).
3. Public meetings and workshops with the Salton Sea Environmental Coalition (based in Sacramento).
4. Public meetings and workshops with local residents and stakeholders.
5. Meetings with cooperating agencies such as the US Fish and Wildlife Service, Torres Martinez Tribe, and others.
6. Technical meetings with the Authority staff, Bureau of Reclamation, Salton Sea Science Office, and/or state representatives.
7. Meetings with the Science Advisory Committee and workshops with scientific experts.
8. Briefings and meetings with the Congressional Salton Sea Task Force and other key federal and state legislators.

Ideally, a preferred project will receive broad support from many or all of the above stakeholders and the consultant is expected to help build and cultivate a coalition.

Over the past 3 years, the Authority has undertaken a public outreach effort with a consultant team whose current contract expires in March, 2003. It is envisioned that public outreach would be one significant component of this effort. Past and current activities include:

Publication and distribution of a quarterly newsletter (3-4 color, 4 page, to approximately 3100 people).

Press releases and notices.

A biennial symposium (next scheduled for sometime during the first or second quarter of 2004) held in the Salton basin.

Tours.

Exhibits at conferences, fairs and other functions.

The consultant may propose to use these tools or other tools to inform the public and seek input and consensus from key stakeholders.

While much engineering design has been undertaken by the Authority and Bureau of Reclamation over the past four years, see the referenced web sites, the consultant should include engineering management and planning capabilities to assist in developing a preferred project.

Cost estimating and developing a financial plan to ensure successful implementation of any preferred project should also be included in the approach. Information from other large-scale restoration and water management projects could be used as a template for this program.

It is expected that the results of these efforts will help inform federal and state legislative efforts. However, the consultant may also propose to include lobbyists and/or develop a legislative plan as an optional element in the scope of work. Funding for lobbying cannot come from the federal funds used to support the remainder of this scope of work. However, other sources may be used to support lobbying efforts.

Legal support is another optional element that can be proposed. The Authority currently retains Best, Best and Krieger to provide general legal services. Identification of a preferred project and elements of any legislative or financial strategy may require specialized counsel.

While there has been a reluctance by government officials to identify a preferred project, the restoration program has used a system involving identifying evaluation criteria, weighting those criteria and applying those criteria to various alternatives to rank them. An example of this approach, from 1997, is described in <http://www.lc.usbr.gov/saltnsea/ssae.html>. The consultant may use a similar or alternative system to identify a preferred project.

Environmental compliance is not a part of the expected scope of services during 2003. With a potential preferred project at the end of this work plan, the Authority and its governmental partner(s) will undertake the necessary environmental compliance. Consultant assistance with such compliance may be solicited from the successful consultant through an amendment or add to this scope of services.

### **Insurance Requirements:**

#### **Time for Compliance:**

The Contractor shall not commence work under this contract until he has provided evidence satisfactory to the Authority that he has secured all insurance required under this section. In addition, Contractor shall not allow any subcontractor to commence

work on any subcontract until he has provided evidence satisfactory to the Authority that the subcontractor has secured all insurance required under this section.

Minimum Requirements:

Contractor shall, at his expense, procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, his agents, representatives, employees or subcontractors. Contractor shall also require all of his subcontractors to procure and maintain the same insurance for the duration of the contract. Such insurance shall meet at least the following minimum levels of coverage:

General Liability: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

Automobile Liability: \$1,000,000 per accident for bodily injury and property damage. The Authority, its directors, officers, employees, agents and volunteers shall be covered as additional insured with respect to the ownership, operation, maintenance, use, loading or unloading of any auto owned, leased, hired or borrowed by the Contractor or for which the Contractor is responsible; and the insurance coverage shall be primary insurance as respects to the funding source agency.

Workers' Compensation and Employer's Liability: Workers' compensation limits as required by the Labor Code of the State of California. Employers Liability limits of \$1,000,000 per accident for bodily injury or disease. The insurer shall agree to waive all rights of subrogation against the Authority, its directors, officers, employees, agents and volunteers for losses paid under the terms of the insurance policy, which arise from work performed by the contractor.

**Legal Requirements**

The following is a summary of legal requirements, which may impact your proposal and budget:

- 1) Buy American ( Section 31.36 © (5) of 40 C.F.R. 31)  
In accordance with Section 215 of the Clean Water act (33 U.S.C. 1251 etseq.) and implementing EPA regulations, the contractor agrees that the contractor, subcontractors, material suppliers and other suppliers in the performance of this contract will give preference to domestic materials.

- 2) Equal Opportunity and Utilization of Small, Minority, and Women's Business Enterprises in Procurement: Federal requirements regarding utilization of Small, Minority and Women's Business enterprises in procurements related to this proposal will be required. Potential contractors need to briefly describe what their good faith efforts will be towards awarding a fair share of any sub-contracts and procurements to Small Business (SBE), Minority Business (MBE), and Women's Business (WBE) Enterprises. All Salton Sea Authority contractors will be obligated to retain all records documenting their MBE/WBE efforts. A fair share objective imposes an obligation on the recipient or contractor to exercise good faith efforts. Good faith efforts by a recipient or prime contractor mean efforts to attract and utilize SBEs, MBEs and WBEs, primarily through outreach, recruitment and race/gender neutral activities.

### **Proposal Requirements**

The proposal shall include the following:

1. **Introduction and Overview – up to 2 pages**

Identify your team and briefly describe your approach.

2. **Approach – up to 8 pages**

Describe the process you will use to identify a preferred project, including any management, planning, engineering, financial planning, public outreach, facilitation or other elements. Describe any optional elements, such as lobbying or legal support. Describe the major steps or phases of your approach. Identify the key milestones. Provide a detailed schedule to reach a preferred project by May 1, 2004 and present the preferred project at a Salton Sea Symposium in the first half of 2004. If such a milestone is infeasible, state so and provide an alternative target date. Consultants may propose on any or all element of the scope of services. The Authority reserves the right to negotiate with the selected consultant(s) to develop a multi-disciplinary team.

3. **Experience– up to 8 pages**

Describe your relevant experience. Provide brief resumes and project descriptions. Provide at least three client references for relevant projects undertaken in the last 10 years.

4. **Remuneration– up to 2 pages**

Provide your recommended compensation/contractual approach and rate information as applicable. Provide an estimated budget for services provided through May 1, 2004. For budgetary and scheduling purposes, assume a contract start date of May 1, 2003. Comment on your interest in, or provide, a

compensation system that rewards achievement of the primary objective by May 1, 2004 and/or that penalizes failure.

Do not provide extra and extraneous promotional material.

Proposals will be accepted no later than 5:00 p.m. (P.S.T.) on March 17, 2003. They should be addressed to:

Tom Kirk, Executive Director  
Salton Sea Authority  
78-401 Highway 111, Suite T  
La Quinta, CA 92253

Submit seven, unbound, proposals. Proposals should be restricted to twenty pages. Proposals will be evaluated with respect to: approach, team experience/qualifications, quality of the proposal and cost effectiveness. A review team comprised of Authority Board members, Technical Advisory Committee members and staff will evaluate the proposals. Federal, state and other partners may also be consulted. It is expected that work programs, costs and approaches may vary widely. The Authority reserves the right to work with selected team(s) to further refine the scope of work and approach. Consequently, the proposal review process may be iterative and require more than one step.

Funding for this work program comes from a grant issued through the U.S. Environmental Protection Agency. The Authority encourages small, minority and women-owned businesses to submit proposals.

The Authority reserves the right to reject any or all proposals, to waive any informality or irregularity in any proposal received, and to be the sole judge of the merits of the respective proposals received. The Authority is not required to award a contract based on the lowest price proposal. The award will be made, if at all, based upon the best interests of the restoration project.

Questions may be directed in writing to Dan Cain at [dcain@saltonsea.ca.gov](mailto:dcain@saltonsea.ca.gov) or via fax to (760) 564-5288. All questions and any responses are available upon request.